Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 12, 2025

TO: All interested persons.

RE: Golden Triangle Polymers Company LLC
TPDES Permit No. WQ0005432000

Decision of the Executive Director.

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** This decision will be considered by the commissioners at a regularly scheduled public meeting before any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov. A complete copy of the RTC (including the mailing list), complete application, draft permit and related documents, including public comments, are available for review at the TCEQ Central Office. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Orange Public Library, 220 North 5th Street, Orange, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. The procedures for the commission's evaluation of hearing requests/requests for reconsideration are located in 30 Texas Administrative Code Chapter 55, Subchapter F. A brief description of the procedures for these two requests follows.

How to Request a Contested Case Hearing.

It is important that your request include all the information that supports your right to a contested case hearing. Your hearing request must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

(1) Your name, address, daytime telephone number, and, if possible, a fax number.

(2) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.

(3) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: "I request a contested case hearing."

(4) If the request is made by a group or association, the request must identify:

(A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group;

(B) the comments on the application submitted by the group that are the basis of the hearing request; and

(C) by name and physical address one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization's purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.

Additionally, your request must demonstrate that you are an **"affected person."** An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities.

Your request must raise disputed issues of fact that are relevant and material to the commission's decision on this application that were raised **by you** during the public comment period. The request cannot be based solely on issues raised in comments that you have withdrawn.

To facilitate the commission's determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director's responses to **your** comments that you dispute; 2) the factual basis of the dispute; and 3) list any disputed issues of law.

How to Request Reconsideration of the Executive Director's Decision.

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

Deadline for Submitting Requests.

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date

of this letter. You may submit your request electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html or by mail to the following address:

Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Processing of Requests.

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the TCEQ's Alternative Dispute Resolution Program and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

How to Obtain Additional Information.

If you have any questions or need additional information about the procedures described in this letter, please call the Public Education Program, toll free, at 1-800-687-4040.

Sincerely,

Laurie Gharis

Laurie Gharis
Chief Clerk

LG/cb

Enclosure

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT
for
Golden Triangle Polymers Company LLC
TPDES Permit No. WQ0005432000

The Executive Director has made the Response to Public Comment (RTC) for the application by Golden Triangle Polymers Company LLC for TPDES Permit No. WQ0005432000 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:

https://www.tceq.texas.gov/goto/cid

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0005432000) and click the "Search" button. The search results will display a link to the RTC.

Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov.

Additional Information

For more information on the public participation process, you may contact the Office of the Public Interest Counsel at (512) 239-6363 or call the Public Education Program, toll free, at (800) 687-4040.

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Orange Public Library, 220 North 5th Street, Orange, Texas.

Brooke T. Paup, *Presidenta*
Bobby Janecka, *Comisionado*
Catarina R. Gonzales, *Comisionada*
Kelly Keel, *Directora Ejecutiva*

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

Protegiendo a Texas reduciendo y previniendo la contaminación

12 de junio de 2025

TO: Todas las personas interesadas.

RE: Golden Triangle Polymers Company LLC
TPDES Permiso No. WQ0005432000

Decisión del Director Ejecutivo.

El director ejecutivo ha tomado la decisión de que la solicitud de permiso mencionada anteriormente cumple con los requisitos de la ley aplicable. **Esta decisión no autoriza la construcción u operación de ninguna instalación propuesta.** Esta decisión será considerada por los comisionados en una reunión pública programada regularmente antes de que se tome cualquier medida sobre esta solicitud, a menos que todas las solicitudes de audiencia o reconsideración de casos impugnados hayan sido retiradas antes de esa reunión.

Se adjuntan a esta carta las instrucciones para ver en Internet la Respuesta del Director Ejecutivo al Comentario Público (RTC). Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov. Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios públicos, están disponibles para su revisión en la Oficina Central de TCEQ. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en la Biblioteca Pública de Orange, 220 North 5th Street, Orange, Texas.

Si no está de acuerdo con la decisión del director ejecutivo y cree que es una "persona afectada" como se define a continuación, puede solicitar una audiencia de caso impugnado. Además, cualquier persona puede solicitar la reconsideración de la decisión del director ejecutivo. Los procedimientos para la evaluación de la comisión de las solicitudes de audiencia/solicitudes de reconsideración se encuentran en 30 Código Administrativo de Texas, Capítulo 55, Subcapítulo F. A continuación, se presenta una breve descripción de los procedimientos para estas dos solicitudes.

Cómo solicitar una audiencia de caso impugnado.

Es importante que su solicitud incluya toda la información que respalde su derecho a una audiencia de caso impugnado. Su solicitud de audiencia debe demostrar que cumple con los requisitos legales aplicables para que se le conceda su solicitud de audiencia. La consideración de la comisión de su solicitud se basará en la información que usted proporcione.

La solicitud debe incluir lo siguiente:

(1) Su nombre, dirección, número de teléfono durante el día y, si es posible, un número de fax.

(2) El nombre del solicitante, el número de permiso y otros números enumerados anteriormente para que su solicitud pueda procesarse adecuadamente.

(3) Una declaración que exprese claramente que está solicitando una audiencia de caso impugnado. Por ejemplo, la siguiente declaración sería suficiente: "Solicito una audiencia de caso impugnado".

(4) Si la solicitud es realizada por un grupo o asociación, la solicitud debe identificar:

(A) una persona por nombre, dirección, número de teléfono durante el día y, si es posible, el número de fax, de la persona que será responsable de recibir todas las comunicaciones y documentos para el grupo.;

(B) los comentarios sobre la solicitud presentada por el grupo que constituyen la base de la solicitud de audiencia; y

(C) por nombre y dirección física, uno o más miembros del grupo que de otro modo tendrían derecho a solicitar una audiencia por derecho propio. Los intereses que el grupo busca proteger deben estar relacionados con el propósito de la organización. Ni la reclamación alegada ni la reparación solicitada deben requerir la participación de los miembros individuales en el caso.

Además, su solicitud debe demostrar que usted es una **"persona afectada".** Una persona afectada es aquella que tiene un interés justiciable personal relacionado con un derecho, deber, privilegio, poder o interés económico legal afectado por la solicitud. Su solicitud debe describir cómo y por qué se vería afectado negativamente por la instalación o actividad propuesta de una manera que no sea común al público en general. Por ejemplo, en la medida en que su solicitud se base en estas preocupaciones, debe describir el impacto probable en su salud, seguridad o usos de su propiedad que puedan verse afectados negativamente por la instalación o las actividades propuestas. Para demostrar que tiene un interés personal justiciable, debe indicar, tan específicamente como pueda, su ubicación y la distancia entre su ubicación y la instalación o actividades propuestas.

Su solicitud debe plantear cuestiones de hecho controvertidas que sean relevantes y materiales para la decisión de la comisión sobre esta solicitud que fueron planteadas **por usted** durante el período de comentarios públicos. La solicitud no puede basarse únicamente en cuestiones planteadas en los comentarios que haya retirado.

Para facilitar la determinación por parte de la comisión del número y alcance de los asuntos que se remitirán a la audiencia, usted debe: 1) especificar cualquiera de las respuestas del director ejecutivo a **sus** comentarios que usted disputa; 2) la base fáctica de la disputa; y 3) enumerar cualquier cuestión de derecho en disputa.

Cómo solicitar la reconsideración de la decisión del Director Ejecutivo.

A diferencia de una solicitud de audiencia de caso impugnado, cualquier persona puede solicitar la reconsideración de la decisión del director ejecutivo. Una solicitud de reconsideración debe contener su nombre, dirección, número de teléfono durante el día y, si

es posible, su número de fax. La solicitud debe indicar que está solicitando la reconsideración de la decisión del director ejecutivo, y debe explicar por qué cree que la decisión debe ser reconsiderada.

Fecha límite para la presentación de solicitudes.

La oficina del Secretario Oficial debe **recibir** una solicitud de audiencia de caso impugnado o reconsideración de la decisión del director ejecutivo a más tardar **30 días calendario** después de la fecha de esta carta. Puede enviar su solicitud electrónicamente a www.tceq.texas.gov/agency/decisions/cc/comments.html o por correo a la siguiente dirección:

Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Procesamiento de solicitudes.

Las solicitudes oportunas para una audiencia de caso impugnado o para la reconsideración de la decisión del director ejecutivo se remitirán al Programa de Resolución Alternativa de Disputas de TCEQ y se incluirán en la agenda de una de las reuniones programadas regularmente de la comisión. Las instrucciones adicionales que explican estos procedimientos se enviarán a la lista de correo adjunta cuando se haya programado esta reunión.

Cómo obtener información adicional.

Si tiene alguna pregunta o necesita información adicional sobre los procedimientos descritos en esta carta, llame al Programa de Educación Pública, al número gratuito, 1-800-687-4040.

Atentamente,

Laurie Gharis
Secretaria Oficial

LG/cb

Recinto

RESPUESTA DEL DIRECTOR EJECUTIVO AL COMENTARIO DEL PÚBLICO
para
Golden Triangle Polymers Company LLC
TPDES Permiso No. WQ0005432000

El Director Ejecutivo ha puesto a disposición de Internet la respuesta al comentario público (RTC) para la solicitud de Golden Triangle Polymers Company LLC del permiso de TPDES No. WQ0005432000. Puede ver e imprimir el documento visitando la Base de Datos Integrada de los Comisionados de TCEQ en el siguiente enlace:
https://www.tceq.texas.gov/goto/cid

Para ver el RTC en el enlace anterior, ingrese el número de identificación TCEQ para esta solicitud (WQ0005432000) y haga clic en el botón "Buscar". Los resultados de la búsqueda mostrarán un enlace al RTC.

Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov.

Información adicional

Para obtener más información sobre el proceso de participación pública, puede comunicarse con la Oficina del Asesor de Interés Público al (512) 239-6363 o llamar al Programa de Educación Pública, al número gratuito, (800) 687-4040.

Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios, están disponibles para su revisión en la Oficina Central de TCEQ en Austin, Texas. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en la Biblioteca Pública de Orange, 220 North 5th Street, Orange, Texas.

MAILING LIST / LISTA DE CORREO
for / para
Golden Triangle Polymers Company LLC
TPDES Permit No. WQ0005432000 / TPDES Permiso No. WQ0005432000

FOR THE APPLICANT /
PARA EL SOLICITANTE:

Allison Broussard, Environmental Specialist
Golden Triangle Polymers Company LLC
P.O. Box 1471
Orange, Texas 77631

Ava Coleman-Ecter
Environmental Permitting Lead
Chevron Phillips Chemical Company
10001 Six Pines Drive
The Woodlands, Texas 77380

Holly Fults, Consultant, Burns & McDonnell 6200 Bridge Point Parkway, Suite 400 Austin, Texas 78730

INTERESTED PERSONS /
PERSONAS INTERESADAS:

see attached list / ver lista adjunta

FOR THE EXECUTIVE DIRECTOR / PARA EL DIRECTOR EJECUTIVO
via electronic mail /
por correo electrónico:

Ryan Vise, Deputy Director
Texas Commission on Environmental Quality
External Relations Division
Public Education Program MC-108
P.O. Box 13087
Austin, Texas 78711-3087

Aubrey Pawelka, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Michael Sunderlin, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL /
PARA ABOGADOS DE INTERÉS PÚBLICO
via electronic mail /
por correo electrónico:

Garrett T. Arthur, Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK /
PARA EL SECRETARIO OFICIAL
via electronic mail
por correo electrónico:

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

JACK , MR ADAM
CITY OF ORANGE
PO BOX 520
ORANGE TX 77631-0520

MANUEL , THE HONORABLE CHRISTIAN STATE REPRESENTATIVE
TEXAS HOUSE OF REPRESENTATIVES DISTRICT 22
PO BOX 2910
AUSTIN TX 78768-2910

NICHOLS , THE HONORABLE ROBERT L STATE SENATOR
TEXAS STATE SENATE DISTRICT 3
PO BOX 12068
AUSTIN TX 78711-2068

WEBSTER , JONATHAN
INNOSUSTAIN
6 MANOR LN
EASTON CT 06612-1820

WILSON , APRIL
2710 SMITH ST
WEST ORANGE TX 77630-6741

TPDES PERMIT NO. WQ0005432000

APPLICATION BY	**§**	**BEFORE THE**
GOLDEN TRIANGLE POLYMERS	**§**	**TEXAS COMMISSION**
COMPANY LLC FOR TPDES PERMIT	**§**	**ON ENVIRONMENTAL**
NO. WQ0005432000	**§**	**QUALITY**

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (Response or RTC) on the application by Golden Triangle Polymers Company LLC (Applicant) for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005432000 and the Executive Director's preliminary decision on the application. As required by Title 30 of the Texas Administrative Code (30 TAC) Section (§) 55.156, before a permit is issued, the Executive Director prepares a response to all timely, significant or relevant and material comments. The Office of the Chief Clerk received timely comments from Adam Jack on behalf of the City of Orange, April Wilson, Jonathan Webster, State Senator Robert Nichols, and State Representative Christian Manuel. This response addresses all timely public comments received, whether or not withdrawn.

This application is subject to the requirements in Senate Bill (SB) 709, effective September 1, 2015. SB 709 amended the requirements for comments and contested case hearings. One of the changes required by SB 709 is that the Commission may not find that a "hearing requestor is an affected person unless the hearing requestor timely submitted comments on the permit application." Texas Water Code (TWC) § 5.115(a-1)(2)(B).

If you need more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about TCEQ can be found at the following website: www.tceq.texas.gov.

I. BACKGROUND

A. Description Of Facility

The Applicant submitted an application to the TCEQ for a new permit, TPDES Permit No. WQ0005432000, to authorize the discharge of utility wastewater and stormwater on an intermittent and flow-variable basis via Outfall 001 (Phase 1); process wastewater, utility wastewater, and stormwater at a daily average flow not to exceed 2,650,000 gallons per day via Outfall 001 (Phase 2); and process wastewater, utility wastewater, and stormwater at a daily average flow not to exceed 5,150,000 gallons per day via Outfall 001 (Phase 3).

The applicant proposes to operate Golden Triangle Polymers Plant, an integrated polymers production facility consisting of multiple independent petrochemical units including an ethane cracker and two high density polyethylene units. The ethane cracker produces ethylene from ethane feedstock while the polyethylene units produce polyethylene pellets from ethylene feedstock. Railcar loading of polyethylene pellets will occur onsite for transport of pellets to customers.

The facility polyethylene units and ethane cracker unit are designed to be commissioned and operated in the following phases:

> Phase 1: The first (initial) phase will only generate flows from the commissioning of the polyethylene units and associated utilities, utility wastewater, and stormwater. Utility wastewater includes but is not limited to non-contact cooling water, cooling tower blowdown, boiler blowdown, steam condensate, air compressor condensate, air conditioner condensate, firewater, passivation wastewater, hydrostatic test water, water treatment wastes and system flush. Stormwater includes the following: stormwater [as defined at 40 Code of Federal Regulation (CFR) § 122.26(b)(13)], stormwater discharge associated with industrial activity [as defined at 40 CFR § 122.26(b)(14)], stormwater from construction activities, and allowable non-stormwater discharges (as defined in Part II, Section A.6. of the Multi-Sector General Permit (MSGP)).
>
> Phase 2: The second (interim) phase will generate flows from the operations of the polyethylene units and operations of associated utilities including utility

wastewater as defined in the Permit and stormwater. Additionally in Phase 2, passivation wastewater and system flush flows from commissioning of the ethane cracker unit and associated utilities, utility wastewater as defined by the permit, and stormwater will be generated. Utility wastewater includes but is not limited to non-contact cooling water, cooling tower blowdown, boiler blowdown, steam condensate, air compressor condensate, air conditioner condensate, firewater, passivation wastewater, hydrostatic test water, water treatment wastes and system flush. Stormwater includes the following: stormwater [as defined at 40 CFR § 122.26(b)(13)], stormwater discharge associated with industrial activity [as defined at 40 CFR § 122.26(b)(14)], stormwater from construction activities, and allowable non-stormwater discharges (as defined in Part II, Section A.6. of the MSGP). Additionally, for this phase stormwater includes process area stormwater and first-flush stormwater associated with industrial activities previously monitored via internal Outfall 101; post first-flush stormwater associated with industrial activities not previously monitored; and stormwater associated with construction activities.

Phase 3: The third (final) phase will generate flows from the operations of the polyethylene units, operations of the ethane cracker, operations of associated utilities, and from stormwater. Utility wastewater includes but is not limited to non-contact cooling water, cooling tower blowdown, boiler blowdown, steam condensate, air compressor condensate, air conditioner condensate, firewater, passivation wastewater, hydrostatic test water, water treatment wastes and system flush. Stormwater includes the following: stormwater [as defined at 40 CFR § 122.26(b)(13)], stormwater discharge associated with industrial activity [as defined at 40 CFR § 122.26(b)(14)], stormwater from construction activities, and allowable non-stormwater discharges (as defined in Part II, Section A.6. of the MSGP). Additionally, for this phase stormwater includes process area stormwater and first-flush stormwater associated with industrial activities previously monitored via internal Outfall 101, post first-flush stormwater associated with industrial activities not previously monitored.

This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved onsite septic tank and drainfield system or to an authorized third party

for treatment and disposal. Domestic wastewater generated at the facility will be routed to a third party, Orange County WCID #2, that is authorized to receive, treat, and discharge treated domestic wastewater via TPDES Permit No. WQ0010240001.

If the permit is issued, the treated effluent will discharge directly to the Sabine River Tidal in Segment No. 0501 of the Sabine River Basin. The designated uses for Segment No. 0501 are primary contact recreation and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

Geographic coordinates of the outfall location in decimal degrees are provided in Table 1. If this permit is issued, the proposed facility will be located at 850 Foreman Road, southwest of the City of Orange, Orange County, Texas 77630.

Table 1. Outfall Coordinate Location

Outfall Number	Latitude	Longitude
001	30.063007 N	93.720125 W

The draft permit includes the following proposed effluent limitations and monitoring requirements. Flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU). Concentration values are expressed in milligrams per liter (mg/L). Mass-based values are expressed as pounds per day (lbs/day). Temperature values are expressed as degrees Fahrenheit (^{o}F). Phase 1 consists of external Outfall 001 only, Phases 2 and 3 consist of both external Outfall 001 and internal Outfall 101. The discharge via internal Outfall 101 commingles with other previously unmonitored waste streams before final discharge via external Outfall 001.

Table 2. Phase 1 Effluent Limitations: Outfall 001

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Flow	Report (MGD)	Report (MGD)	N/A
Chemical Oxygen Demand	N/A	200 mg/L	200
Total Suspended Solids	N/A	Report mg/L	N/A
Oil and Grease	N/A	20 mg/L	20
pH	6.0 SU (min)	9.0 SU	1

Table 3. Phase 2 Effluent Limitations: Outfall 001

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Flow	2.65 MGD	3.15 MGD	N/A
Biochemical Oxygen Demand 5-day	264	528	45
Total Suspended Solids	1,045	2,304	120
Oil and Grease	332	417	20
Temperature [2]	Report °F	Report °F	N/A
Chloroform	1.62	4.70	0.30
Benzo(a)anthracene	0.0090	0.0190	0.005
Benzo(a)pyrene	0.00090	0.00190	0.005
Hexachlorobenzene	0.00024	0.00052	0.005
pH	6.0 SU (min)	9.0 SU	[1]

[1] pH must not be less than 6.0 standard units nor greater than 9.0 standard units.

[2] Effective from date of permit issuance and lasting for a period of 58 months.

Table 4. Phase 2 Effluent Limitations: Outfall 101

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Flow	0.97 MGD	0.99 MGD	N/A
Biochemical Oxygen Demand (5-day)	124	248	45
Total Suspended Solids	624	902	222
Acenaphthene	0.07	0.18	0.09
Acenaphthylene	0.07	0.18	0.09
Acrylonitrile	0.30	0.75	0.36
Anthracene	0.07	0.18	0.09
Benzene	0.11	0.42	0.20
Benzo(a)anthracene	0.07	0.18	0.09
Benzo(a)pyrene	0.07	0.19	0.09
3,4-Benzofluoranthene	0.07	0.19	0.09
Benzo(k)fluoranthene	0.07	0.18	0.09
Bis(2-ethylhexyl)phthalate	0.32	0.86	0.42

Table 4. Phase 2 Effluent Limitations: Outfall 101 continued

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Carbon Tetrachloride	0.06	0.12	0.06
Chlorobenzene	0.05	0.09	0.04
Chloroethane	0.32	0.83	0.40
Chloroform	0.06	0.14	0.07
2-Chlorophenol	0.10	0.30	0.15
Chrysene	0.07	0.18	0.09
1,2-Dichlorobenzene	0.24	0.50	0.24
1,3-Dichlorobenzene	0.10	0.14	0.07
1,4-Dichlorobenzene	0.05	0.09	0.04
1,1-Dichloroethane	0.07	0.18	0.09
1,2-Dichloroethane	0.21	0.65	0.32
1,1-Dichloroethylene	0.05	0.08	0.04
1,2-trans Dichloroethylene	0.06	0.17	0.08
2,4-Dichlorophenol	0.12	0.35	0.17
1,2-Dichloropropane	0.47	0.71	0.35
1,3-Dichloropropylene	0.09	0.14	0.07
Diethyl phthalate	0.25	0.63	0.30
2,4-Dimethylphenol	0.06	0.11	0.05
Dimethyl phthalate	0.06	0.15	0.07
Di-n-butyl phthalate	0.08	0.18	0.09
4,6-Dinitro-o-cresol	0.24	0.86	0.42
2,4-Dinitrophenol	0.22	0.38	0.18
2,4-Dinitrotoluene	0.35	0.88	0.43
2,6-Dinitrotoluene	0.79	1.98	0.96
Ethylbenzene	0.10	0.33	0.16
Fluoranthene	0.08	0.21	0.10
Fluorene	0.07	0.18	0.09
Hexachlorobenzene	0.05	0.09	0.04
Hexachloroethane	0.06	0.17	0.08
Hexachlorobutadiene	0.06	0.15	0.07
Methyl Chloride	0.27	0.59	0.29
Methylene Chloride	0.12	0.27	0.13
Naphthalene	0.07	0.18	0.09
Nitrobenzene	0.08	0.21	0.10
2-Nitrophenol	0.13	0.21	0.10
4-Nitrophenol	0.22	0.38	0.19
Phenanthrene	0.07	0.18	0.09
Phenol	0.05	0.08	0.04
Pyrene	0.08	0.21	0.10
Tetrachloroethylene	0.07	0.17	0.08

Table 4. Phase 2 Effluent Limitations: Outfall 101 continued

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Toluene	0.08	0.25	0.12
1,2,4-Trichlorobenzene	0.21	0.43	0.21
1,1,1-Trichloroethane	0.06	0.17	0.08
1,1,2-Trichloroethane	0.06	0.17	0.08
Trichloroethylene	0.06	0.17	0.08
Vinyl Chloride	0.32	0.83	0.40
pH	6.0 SU (min)	9.0 SU	1

Table 5. Phase 3 Effluent Limitations: Outfall 001

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Flow	5.15 MGD	5.81 MGD	N/A
Biochemical Oxygen Demand 5-day	528	1,112	45
Total Suspended Solids	1,713	4,520	120
Oil and Grease	643	833	20
Temperature [2]	Report oF	Report oF	N/A
Chloroform	3.68	10.7	0.30
Benzo(a)anthracene	0.0174	0.0370	0.005
Benzo(a)pyrene	0.00174	0.00370	0.005
Hexachlorobenzene	0.00047	0.00101	0.005
pH	6.0 SU (min)	9.0 SU	[1]

[1] pH must not be less than 6.0 standard units nor greater than 9.0 standard units.

[2] Effective from date of permit issuance and lasting for a period of 58 months.

Table 6. Phase 3 Effluent Limitations: Outfall 101

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Flow	1.30 MGD	1.49 MGD	N/A
Biochemical Oxygen Demand (5-day)	208	471	50
Total Suspended Solids	752	1,316	222
Acenaphthene	0.13	0.34	0.05
Acenaphthylene	0.13	0.34	0.05
Acrylonitrile	0.56	1.41	0.21
Anthracene	0.13	0.34	0.05
Benzene	0.22	0.79	0.12
Benzo(a)anthracene	0.13	0.34	0.05

Table 6. Phase 3 Effluent Limitations: Outfall 101 continued

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Benzo(a)pyrene	0.13	0.36	0.05
3,4-Benzofluoranthene	0.13	0.36	0.05
Benzo(k)fluoranthene	0.13	0.34	0.05
Bis(2-ethylhexyl)phthalate	0.60	1.63	0.24
Carbon Tetrachloride	0.11	0.22	0.03
Chlorobenzene	0.09	0.16	0.02
Chloroethane	0.61	1.57	0.23
Chloroform	0.12	0.27	0.04
2-Chlorophenol	0.18	0.57	0.08
Chrysene	0.13	0.34	0.05
1,2-Dichlorobenzene	0.45	0.95	0.14
1,3-Dichlorobenzene	0.18	0.26	0.04
1,4-Dichlorobenzene	0.09	0.16	0.02
1,1-Dichloroethane	0.13	0.34	0.05
1,2-Dichloroethane	0.40	1.23	0.18
1,1-Dichloroethylene	0.09	0.15	0.02
1,2-trans Dichloroethylene	0.12	0.32	0.05
2,4-Dichlorophenol	0.23	0.65	0.10
1,2-Dichloropropane	0.89	1.34	0.20
1,3-Dichloropropylene	0.17	0.26	0.04
Diethyl phthalate	0.47	1.19	0.17
2,4-Dimethylphenol	0.11	0.21	0.03
Dimethyl phthalate	0.11	0.27	0.04
Di-n-butyl phthalate	0.16	0.33	0.05
4,6-Dinitro-o-cresol	0.46	1.62	0.24
2,4-Dinitrophenol	0.41	0.72	0.11
2,4-Dinitrotoluene	0.66	1.66	0.24
2,6-Dinitrotoluene	1.49	3.74	0.55
Ethylbenzene	0.19	0.63	0.09
Fluoranthene	0.15	0.40	0.06
Fluorene	0.13	0.34	0.05
Hexachlorobenzene	0.09	0.16	0.02
Hexachloroethane	0.12	0.32	0.05
Hexachlorobutadiene	0.12	0.29	0.04
Methyl Chloride	0.50	1.11	0.16
Methylene Chloride	0.23	0.52	0.08
Naphthalene	0.13	0.34	0.05
Nitrobenzene	0.16	0.40	0.06
2-Nitrophenol	0.24	0.40	0.06
4-Nitrophenol	0.42	0.72	0.11

Table 6. Phase 3 Effluent Limitations: Outfall 101 continued

Parameter/Pollutant	Daily Average lbs/day	Daily Maximum lbs/day	Single Grab mg/L
Phenanthrene	0.13	0.34	0.05
Phenol	0.09	0.15	0.02
Pyrene	0.15	0.39	0.06
Tetrachloroethylene	0.13	0.33	0.05
Toluene	0.15	0.47	0.07
1,2,4-Trichlorobenzene	0.40	0.82	0.12
1,1,1-Trichloroethane	0.12	0.32	0.05
1,1,2-Trichloroethane	0.12	0.32	0.05
Trichloroethylene	0.12	0.32	0.05
Vinyl Chloride	0.61	1.57	0.23
pH	6.0 SU (min)	9.0 SU	[1]

[1] pH must not be less than 6.0 standard units nor greater than 9.0 standard units.

B. Procedural Background

The permit application was received on June 29, 2023, and declared administratively complete on August 7, 2023. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on August 19, 2023, in the *Orange Leader* and on August 17, 2023, in *El Perico.* The combined NORI and Notice of Application and Preliminary Decision (NAPD) was published on May 3, 2025, in the *Orange Leader* and on May 1, 2025, in *El Perico.*

The public comment period ended on June 2, 2025. This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55. The Texas Legislature enacted SB 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in the law.

C. Access to Rules, Laws, and Records

Please consult the following websites to access the rules and regulations applicable to this permit:

- Secretary of State website: www.sos.state.tx.us;
- TCEQ rules in 30 TAC: https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=VIEW_TAC&part=1&title=30;

- Texas statutes: www.statutes.legis.state.tx.us;
- TCEQ downloadable rules: www.tceq.texas.gov/rules/indxpdf.html;
- Federal rules in Title 40 of the Code of Federal Regulations: https://www.ecfr.gov/current/title-40; and
- Federal environmental laws: www.epa.gov/lawsregs.

Commission records for this application are available for viewing and copying and are located at TCEQ's main office in Austin, 12100 Park 35 Circle, Building F, 1st Floor (Office of Chief Clerk). The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the following location: Orange Public Library, 220 North 5th Street, Orange, Texas.

II. COMMENTS AND RESPONSES

Comment 1:

Adam Jack, Public Works Director, City of Orange, commented that the applicant's activities should not restrict the City of Orange from expanding City of Orange's current Sabine River effluent discharge capacity to 29 MGD upstream from the applicant's discharge point. This expansion redirects remaining discharges from Adam's Bayou (an impaired water) to the Sabine River.

Response 1:

The ED acknowledges the concern regarding the potential impact the proposed Golden Triangle Polymers Plant discharge may have on the City's plan to expand its Sabine River discharge. TCEQ's evaluation of the proposed discharge took into account all relevant permits and proposed permit actions, including the City's pending permit renewal application that would maintain the City's primary outfall to the Sabine River and secondary outfall to Adams Bayou. The evaluation of Adams Bayou has not precluded, nor does it preclude, the City of Orange from applying to amend its permit to discharge exclusively into the Sabine River.

Comment 2:

April Wilson commented that she is concerned about potential health risks, including skin irritation from showering. She also asked for TCEQ to clarify which contaminants will be present, how they will be managed, and what measures will be taken to compensate affected residents, including covering medical expenses.

Response 2:

As specified in the Texas Surface Water Quality Standards, water in the state must be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water or any combination of the three. The draft permit has been developed to ensure that the proposed discharge will comply with numeric water quality criteria to protect human health, provided that the Applicant operates in accordance with TCEQ rules and the proposed permit's requirements.

The receiving water, Sabine River Tidal, is a tidal water body that does not have a designated domestic water supply use in the Texas Surface Water Quality Standards nor any public water supply intakes. Thus, the effluent discharged should not be able to impact potable water sources used for showers or other household uses due to the lack of public water intakes in the receiving water. Additionally, the Water Quality Division has determined that the draft permit is in accordance with the Texas Surface Water Quality Standards, which ensure that the effluent discharge is protective of aquatic life, human health, and the environment. According to the Texas Groundwater Protection Strategy, AS-188, if the surface water quality is protected, then the groundwater quality in the vicinity will not be impacted by the discharge. If the water source for showers and other household uses is from groundwater supply wells, then the groundwater quality in the vicinity will not be impacted by the discharge as it includes appropriate limitations to be protective of aquatic life, human health, and the environment.

The draft permit authorizes the discharge of process wastewater, utility wastewater, and stormwater during the operational phases of the permit. The process wastewater is subject to effluent limitation guidelines (ELGs) from 40 CFR Part 414 which includes effluent limitations for the parameters provided in Section I. A., Description of Facility, Tables 2, 3, and 4, whether or not they are actually present in the discharge.

Biochemical Oxygen Demand (5-day)	Dimethylphenol
Total Suspended Solids	Dimethyl phthalate
pH	Di-n-butyl phthalate
Acenaphthene	4,6-Dinitro-o-cresol
Acenaphthylene	2,4-Dinitrophenol
Acrylonitrile	2,4-Dinitrotoluene
Anthracene	2,6-Dinitrotoluene
Benzene	Ethylbenzene
Benzo(a)anthracene	Fluoranthene
Benzo(a)pyrene	Fluorene
3,4-Benzofluoranthene	Hexachlorobenzene
Benzo(k)fluoranthene	Hexachloroethane
Bis(2-ethylhexyl)phthalate	Hexachlorobutadiene
Carbon Tetrachloride	Methyl Chloride
Chlorobenzene	Methylene Chloride
Chloroethane	Naphthalene
Chloroform	Nitrobenzene
2-Chlorophenol	2-Nitrophenol
Chrysene	4-Nitrophenol
1,2-Dichlorobenzene	Phenanthrene
1,3-Dichlorobenzene	Phenol
1,4-Dichlorobenzene	Pyrene
1,1-Dichloroethane	Tetrachloroethylene
1,2-Dichloroethane	Toluene
1,1-Dichloroethylene	1,2,4-Trichlorobenzene
1,2-trans Dichloroethylene	1,1,1-Trichloroethane
2,4-Dichlorophenol	1,1,2-Trichloroethane
1,2-Dichloropropane	Trichloroethylene
1,3-Dichloropropylene	Vinyl Chloride
Diethyl phthalate	

Additional parameters included in the draft permit based on the discharge of utility wastewater and stormwater are as follows:

Oil & Grease (limits)
Temperature (monitoring/reporting only)

If the permit is issued, the permittee will be required to comply with all of the requirements in the permit including, but not limited to, effluent limitations and monitoring/reporting requirements, as specified.

The TCEQ has no jurisdiction to address compensation for affected residents for medical expenses. A resident who believes that they are adversely affected may pursue financial restitution in civil court.

Comment 3:

Jonathan Webster requested full disclosure of environmental monitoring data, including past permit violations or known risks associated with Golden Triangle Polymers operations, and a clear explanation of how these have been incorporated (or not) into the draft permit conditions.

Response 3:

The application submitted is for a new TPDES permit for proposed discharges from a proposed facility that has not commenced production operations. There is no effluent monitoring data available at this time. The application and supplemental information submitted included sufficient information for a technical review to be conducted and a technically complete draft permit to be developed. The only information deemed to be incomplete in the application was the effluent analytical testing requirements from four representative discharge events, as required in Worksheet 2.0 of the application. This application deficiency is normal and expected for a new permit application when routine and representative effluent data is not available. This deficiency was addressed in the draft permit by the inclusion of Other Requirement No. 13, which requires the permittee to conduct comprehensive effluent testing (retesting) to obtain and submit representative effluent analytical data from four separate discharge events that are minimum of one week apart at the beginning of each operational phase. The retest data will be reviewed upon receipt to confirm the quality of the effluent. Based on a technical review of the submitted analytical results, a permit amendment may be initiated by ED staff to include additional effluent limitations, monitoring requirements, or both.

Several sources of baseline data for the receiving waters were utilized in the review of the proposed permit action and development of the draft permit such as the TCEQ 2022 Texas Integrated Report of Surface Water Quality, recent aerial imagery, and the permit application.

The *2022 Texas Integrated Report of Surface Water Quality f*or *Clean Water Act Sections 305(b) and 303(d)* is available to review at www.tceq.texas.gov/waterquality/assessment/22twqi/22txir. This report was used to determine baseline conditions for the receiving waters. Water body assessment data for the Sabine River Basin is also available to review at

https://www.tceq.texas.gov/downloads/water-quality/assessment/integrated-report-2022/2022-basin05.pdf. To access monitoring data in Discharge Monitoring Reports (DMRs) for TPDES permitted facilities, the public can use the EPA's Enforcement and Compliance History Online (ECHO) system, where they can search for a facility using its TPDES permit ID and view its reported discharge data, including pollutant levels and compliance information; this data is publicly available at https://echo.epa.gov/.

During the technical review of an application, a compliance history review is conducted on the company and the site based on the criteria in 30 TAC Chapter 60. The compliance history is reviewed for the company and site for the five-year period prior to the date the permit application was received by the Executive Director. The compliance history includes multimedia compliance-related components about the site under review. These components include the following: enforcement orders, consent decrees, court judgments, criminal convictions, chronic excessive emissions events, investigations, notices of violations, audits and violations disclosed under the Audit Act, environmental management systems, voluntary on-site compliance assessments, voluntary pollution reduction programs and early compliance. This permit application was received after September 1, 2002, and the company and site have been rated and classified pursuant to 30 TAC Chapter 60. A company and site may have one of the following classifications and ratings:

(1) a high performer classification, has a rating of fewer than 0.10 points and is considered to have an above-satisfactory compliance record;

(2) a satisfactory performer classification, has a rating between 0.10 points to 55 points and is considered to generally comply with environmental regulations; or

(3) an unsatisfactory performer classification, has a rating above 55 points and is considered to perform below minimal acceptable performance standards established by the commission.

The compliance history for the customer entity (CN) of Golden Triangle Polymers Company LLC (CN606046183) yields a company rating classification of Satisfactory and a score of 0.36. The compliance history for the regulated site (RN) of Golden Triangle Polymers Plant (RN110935285) yields a site rating classification of Satisfactory and a score of 0.36. The company rating and classification is the average

of the ratings for all sites the company owns. A review of the compliance history does not indicate a history of non-compliance.

Comment 4:

Jonathan Webster commented that the antidegradation review conducted under Tier 1 and Tier 2 fails to account for the cumulative impacts of industrial discharges from the petrochemical sector on both local biodiversity and broader climate resilience. While the review focuses on maintaining current use classifications, it ignores the compounding stressors posed by climate change, upstream development, and industrial expansion. He specifically requested a revised review incorporating cumulative and climate-related ecological risks, including increased storm intensity, sea-level rise, and climate-driven shifts in aquatic life viability.

Response 4:

Antidegradation reviews under Tier 1 ensure that existing water quality uses of receiving waters are not impaired by increases in pollution loading. Numerical and narrative criteria necessary to protect existing uses will be maintained. Applications for new TPDES permits that allow increased pollution loading are subject to review under Tier 1 of the antidegradation policy, and all pollution that could cause an impairment of existing uses is included in the evaluation.

Antidegradation reviews under Tier 2 ensure that where water quality exceeds the normal range of fishable/swimmable criteria, such water quality will be maintained unless lowering it is necessary for important economic or social development. The second tier of the antidegradation policy generally applies to water bodies that have existing, designated, or presumed uses of primary and secondary contact recreation and intermediate, high, or exceptional aquatic life waters. Tier 1 of the antidegradation policy applies to all water bodies, including those that are eligible for Tier 2 review. Applications for new TPDES permits that allow an increase in loading to higher quality water bodies are subject to review under Tier 2 of the antidegradation policy.

An antidegradation review of the receiving waters was performed as part of the application review process in accordance with the Texas Surface Water Quality Standards and the *Procedures to Implement the Texas Water Quality Standards*. The Tier 1 antidegradation review has preliminarily determined that existing water quality

uses of the Sabine River Tidal will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. The Tier 2 antidegradation review has preliminarily determined that no significant degradation of water quality is expected in the Sabine River Tidal, which has been identified as having high aquatic life use.

Assessment of climate-related ecological risks cannot be addressed in the review of a wastewater discharge permit, as the scope of the ED's jurisdiction in a TPDES application is limited to the issues set out by statute. TCEQ does not have jurisdiction to address climate-related impacts such as increased storm intensity, sea-level rise, and climate-driven shifts in aquatic life viability in the wastewater permitting process. The permitting process is limited to controlling the discharge of pollutants into water in the state and protecting the water quality of the state's rivers, lakes, and coastal waters. However, to the extent that an issue related to weather also involves water quality, the Applicant is required to comply with all the numeric and narrative effluent limitations and other conditions in the proposed permit at all times, including during adverse weather conditions.

Comment 5:

Jonathan Webster commented that the burden on local residents to navigate technical, legal, and procedural channels to challenge this permit is unreasonably high, effectively silencing those most affected. Many impacted communities lack the legal resources to meet the stringent contested case hearing requirements, especially when facing a multinational corporate applicant.

Response 5:

The ED acknowledges this comment. Relevant statutes and rules related to requesting a contested case hearing may be found in Texas Water Code Chapter 5, Texas Health and Safety Code Chapters 361 and 382, and Title 30 Texas Administrative Code, Chapters 39, 50, and 55. Guidance on contested case hearing is available, in Guidance Information, *Requesting a Contested Case Hearing for Wastewater, Waste, or Air Permits* (GI-649) https://www.tceq.texas.gov/downloads/agency/decisions/participation/gi-649-contested-case-hearing-wastewater-waste-air.pdf.

The TCEQ Office of Public Interest Counsel can provide information to anyone with questions about the legal aspects of the TCEQ's rules, permitting procedures, contested case hearing procedures, and enforcement proceedings. The Public Interest Counsel may be reached at 512-239-6363.

Comment 6:

Jonathan Webster commented that this permit facilitates further entrenchment of fossil fuel-based industrial infrastructure in Texas, directly contradicting global, national, and state-level imperatives to transition away from carbon-intensive systems. It perpetuates climate injustice by placing the environmental burden on downstream ecosystems and communities while the economic benefits concentrate in corporate hands. He specifically requested a reassessment of the project's alignment with Texas' long-term sustainability and climate goals, including a public analysis of alternatives that prioritize ecological regeneration and community resilience.

Response 6:

The ED acknowledges these comments. The permitting process is limited to controlling the discharge of pollutants into water in the state and protecting the water quality of the state’s rivers, lakes, and coastal waters. The issues raised by the commentor and the requested actions are not within the scope of the permitting process. There are no state or federal regulations that require an assessment of a project’s alignment with a state’s long-term sustainability and climate goals.

Comment 7:

Jonathan Webster requested expanded outreach to vulnerable or underrepresented communities.

Response 7:

This application was filed after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55. The Texas Legislature enacted SB 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in the law.

TCEQ must follow Title VI of the Civil Rights Act of 1964 and executive orders related to public participation and language access for meaningful participation in the TPDES permit process. Mailed and published public notices were provided in both English and Spanish.

TCEQ rules requires that all applications for wastewater discharge permits include mailed and published notice of both the NORI and the NAPD. The TCEQ's notice rules in 30 TAC Chapter 39 require applicants to provide public notices for wastewater permits by publishing the NORI in a "newspaper of largest circulation in the county in which the facility is located or proposed to be located … if the facility is located or proposed to be located in a municipality, the applicant must publish notice in any newspaper of general circulation in the municipality." After the Office of the Chief Clerk has mailed the preliminary decision and the NAPD to the applicant, they are required to publish the NAPD "at least once in a newspaper regularly published or circulated within each county where the proposed facility or discharge is located and, in each county, affected by the discharge. Public comment rules in 30 TAC Chapter 55 specify that the public comment period shall end 30 days after the last publication of the NAPD. As described under Section I.B., Procedural Background, above, the permitting process for this application complied with all the stated notice requirement

Comment 8:

The Honorable Robert Nichols and the Honorable Christian Manuel submitted comments in support of the draft permit.

Response 8:

The ED acknowledges the comments.

III. CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENTS

In response to public comment, no changes were made to the draft permit.

Respectfully submitted,

Texas Commission on Environmental Quality

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